

REMARKS

Claim 1, for example, calls for a first and a second layer of memory material spaced from one another in a first direction and a first address line and a second address line extending substantially in said first direction through said first and second layers.

The Examiner apparently reads "memory material" to be any material used in a memory. Certainly, this would be inconsistent with the normal usage by one skilled in the art. Normally, memory material is used to indicate that material which stores the information.

The term memory material is commonly used in the art, as indicated in the following references, each of which uses the phrase "memory material" to indicate the material that stores information: 7135727; 7135696; 7129531; 7126176; 7115473.

If "memory material" simply meant every material in the memory, there would be no reason to use this word and its usage would disappear from the art. The fact that the term is commonly used strongly demonstrates that the term has a meaning in the art and it must mean something other than every single thing in the memory. Clearly, in each of these cited patents, it refers to that material that is responsible for actually storing the memory state.

Moreover, there is no layer in Toyama through which the lining 11 passes. Figure 1 is merely schematic. There is no structure 12d. It is simply a block to represent the cell. The actual cell is shown in Figure 3. Note that there is no material through which the line B11 passes. It simply is a line that passes alongside a transistor and a capacitor, the cell being indicated by the dashed line cube, but, otherwise, there is no memory material or material of the memory through which the line passes.

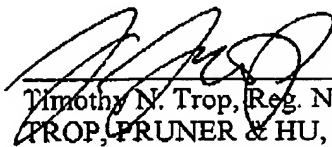
Therefore, reconsideration is requested.

Similarly, the reasoning set forth in the office action, even if proper, seems to fail to meet the limitations at least for dependent claim 2.

Therefore, reconsideration is requested.

Respectfully submitted,

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